

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6384 of 1996

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SUDEEPBHAI DILIPBHAI SHETH      THROUGH DILIP J SHETH

Versus

GUJARAT SECONDARY EDUCATION      BOARD  
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CORAM : MR.JUSTICE R.BALIA.

Date of Order: 26/08/96

ORAL ORDER

The petitioner seeks reassessment of his answer-books only on the ground that he is fairly brilliant and he has secured more than 90% to 95% in the past but in S.S.C. Examination he has secured only 85% marks which suggests that the he was not given marks as per his merit. On rechecking the Board replied that his result remains unchanged.

Reassessment of answerbooks is not necessary concomitant of Examination system. It depends on rules under which examinations are conducted. Ordinarily marks awarded at the examination are to be accepted as final verdict. Rules of S.S.C. Board do not provide for reassessment or reevaluation of answerbooks though it permits rechecking.

The petitioner further urges that the Board has has not made reassessment of his answer-books by following the discriminatory policy inasmuch as while the Rules of Senior Secondary Board is permitting reassessment of the answer-books the Secondary Board has not provided for reassessment. Firstly no factual material has been placed in support of contention about Rules of Secondary Board providing for reassessment of answerbooks after declaration of result. Besides, this Gujarat Secondary Education Board is a distinct and independent authority constituted under the Gujarat Secondary Education Act from the Board conducting examination of Senior Secondary courses. Rules of two

examinations are not comprable objects to make out a case of hostile and unreasonable discrimination violating Article 14 of the Constitution of India.

The petitioner is rejected summarily.

Date:-26-8-1996. (R. Balia, J.)